

UNOFFICIAL VERSION

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THURSDAY, MARCH 30, 2017

TWENTY-FIRST LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor Dave Clayton of Ethos Church in Nashville, Tennessee, a guest of Senator Harper.

PLEDGE OF ALLEGIANCE

Senator Roberts led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Roberts led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

COMMUNICATION

March 30, 2017

Lt. Governor McNally
1 Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker:

I respectfully request permission to be excused from the Senate Session today, March 30, 2017, due to illness.

Thank you for your consideration of this request.

Sincerely,

/s/ Mae Beavers
State Senator

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 389, 1206, 1207, 1208, 1215 and 1216 with amendment.

WATSON, Chairperson
March 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 389, 1206, 1207, 1208, 1215 and 1216 with amendment to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 257, 286, 382 with amendments, 464 with amendment, 517 with amendment, 542 with amendment, 596 with amendment, 788, 798 with amendment, 885, 957, 1087 with amendment, 1179 with amendment, 1246 and 1360; also, recommend that Senate Bills Nos. 557 with amendment, 822 with amendment, 970 with amendment, 1059, 1158 with amendment and 1209 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
March 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 257, 286, 382 with amendments, 464 with amendment, 517 with amendment, 542 with amendment, 596 with amendment, 788, 798 with amendment, 885, 957, 1087 with amendment, 1179 with amendment, 1246 and 1360 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 557 with amendment, 822 with amendment, 970 with amendment, 1059, 1158 with amendment and 1209 with amendment to the Committee on Finance, Ways and Means.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 305 with amendment, 449, 469 with amendment and 565 with amendment; and Senate Joint Resolution No. 263; also, recommend that Senate Bills Nos. 292 with amendment, 1171, 1192 with amendment and 1214 with amendment be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
March 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 305 with amendment, 449, 469 with amendment and 565 with amendment; and Senate Joint Resolution No. 263 to the Committee on Calendar.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 292 with amendment, 1171, 1192 with amendment and 1214 with amendment to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 236 with amendment, 494 with amendment, 816, 983 with amendment, 1243 with amendment, 1244 with amendment, 1252 and 1253 with amendment; and Senate Joint Resolution No. 108 with amendments; also, recommend that Senate Bills Nos. 1241 with amendment, 1245 and 1260 with amendments be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
March 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 236 with amendment, 494 with amendment, 816, 983 with amendment, 1243 with amendment, 1244 with amendment, 1252 and 1253 with amendment; and Senate Joint Resolution No. 108 with amendments to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1241 with amendment, 1245 and 1260 with amendments to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 68 and 102; also, recommend that Senate Bill No. 832 be referred to Committee on Judiciary; Senate Bill No. 1145 be referred to Committee on Health and Welfare; and Senate Bill No. 1316 be referred to Committee on State and Local Government.

BELL, Chairperson
March 29, 2017

The Speaker announced that he had referred Senate Bills Nos. 68 and 102 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 832 to the Committee on Judiciary.

The Speaker announced that he had referred Senate Bill No. 1145 to the Committee on Health and Welfare.

The Speaker announced that he had referred Senate Bill No. 1316 to the Committee on State and Local Government.

TRANSPORTATION AND SAFETY

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 622 with amendment and

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

692; also, recommend that Senate Bill No. 1078 with amendment be referred to Committee on Finance, Ways and Means.

BAILEY, Chairperson
March 29, 2017

The Speaker announced that he had referred Senate Bills Nos. 622 with amendment and 692 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1078 with amendment to the Committee on Finance, Ways and Means.

ENERGY, AGRICULTURE AND NATURAL RESOURCES

MR. SPEAKER: Your Committee on Energy, Agriculture and Natural Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 621 with amendment, 899 with amendment, 951 with amendment and 1336 with amendment; also, recommend that Senate Bill No. 686 with amendment be referred to Committee on Government Operations.

SOUTHERLAND, Chairperson
March 29, 2017

The Speaker announced that he had referred Senate Bills Nos. 621 with amendment, 899 with amendment, 951 with amendment and 1336 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 686 with amendment to the Committee on Government Operations.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 413 with amendment, 651 with amendment, 789 with amendment, 790 with amendment and 845 with amendment; and Senate Joint Resolution No. 182; also, recommend that Senate Bills Nos. 211 with amendment, 505 and 1032 with amendment be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson
March 29, 2017

The Speaker announced that he had referred Senate Bills Nos. 413 with amendment, 651 with amendment, 789 with amendment, 790 with amendment and 845 with amendment; and Senate Joint Resolution No. 182 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 211 with amendment, 505 and 1032 with amendment to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2, 136 with amendment, 1196 and 1198;

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

and Senate Resolutions Nos. 32, 33, 34 and 35; also, recommend that Senate Bills Nos. 196 with amendment, 366, 410 with amendment, 1197 with amendment and 1210 be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
March 29, 2017

The Speaker announced that he had referred Senate Bills Nos. 2, 136 with amendment, 1196 and 1198; and Senate Resolutions Nos. 32, 33, 34 and 35 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 196 with amendment, 366, 410 with amendment, 1197 with amendment and 1210 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 1440 through 1444** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1440 by Senator Beavers.

Clay County -- Subject to local approval, decreases the Clay County board of education from 10 members to five members. Amends Chapter 330 of the Private Acts of 1947; as amended.

Senate Bill No. 1441 by Senator Stevens.

Kenton -- Subject to local approval, increases the amount required for competitive bidding for purchases or contracts from \$1,000 to \$10,000. Amends Chapter 87 of the Private Acts of 1981.

Senate Bill No. 1442 by Senator Stevens.

Milan -- Subject to local approval, authorizes the Milan Special School District to issue and sell bonds or notes to provide funds for the district. Amends Chapter 504 of the Private Acts of 1954; as amended.

Senate Bill No. 1443 by Senator Beavers.

Carthage -- Subject to local approval, reduces from three to two the number of days on which an ordinance must be passed by approval on each day by a majority of the members of the governing body for purposes of adopting the ordinance. Amends Chapter 112 of the Private Acts of 1991; as amended.

Senate Bill No. 1444 by Senator Beavers.

Lebanon -- Subject to local approval, establishes term limits for the mayor and aldermen; creates mechanism for the filling of vacancies on the city council created upon the filing of a qualifying petition by an alderman to run for mayor; deletes provision prohibiting the granting of a property right to a city employee. Amends Chapter 644 of the Private Acts of 1911; as amended and rewritten.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 59, 113, 312, 320, 335, 579, 671, 711, 1043, 1414 and 1417** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 59 -- Criminal Offenses -- As introduced, creates the Class E felony of injuring someone or damaging their property with the intent to intimidate the person from the free exercise of political beliefs, political party affiliation, or choice of candidate for public office. Amends TCA Title 39, Chapter 17, Part 3.

House Bill No. 113 -- Tobacco, Tobacco Products -- As introduced, authorizes municipalities located in Putnam County to prohibit, by local ordinance, smoking on the grounds of an urban park center. Amends TCA Title 39, Chapter 17.

House Bill No. 312 -- Environment and Conservation, Dept. of -- As introduced, makes confidential certain information related to guests of state parks. Amends TCA Section 11-1-102.

House Bill No. 320 -- Taxes, Franchise -- As introduced, alters the formula for calculating quarterly estimated payments for franchise and excise taxes; makes other related revisions. Amends TCA Section 67-4-2008 and Section 67-4-2015.

House Bill No. 335 -- Education, Higher -- As introduced, requires THEC to publish in the Tennessee Postsecondary Education Fact Book information that TSAC and THEC collect annually on the Tennessee Promise scholarship program so that it is readily available to the public. Amends TCA Title 49.

House Bill No. 579 -- Taxes, Real Property -- As introduced, states that return of the receipt for a mailed summons or notice that is either signed by the defendant or marked refused shall be grounds for a default judgment in a delinquent property tax case. Amends TCA Section 67-5-2415.

House Bill No. 671 -- Election Laws -- As introduced, authorizes certain members of a board of public utilities to serve as a member of a county election commission; prescribes the process for certifying new voting systems for use in this state. Amends TCA Section 2-1-112 and Section 2-9-117.

House Bill No. 711 -- Orders of Protection -- As introduced, allows the respondent to an ex parte order of protection to waive the right to a hearing on the order within 15 days of issuance if the respondent acknowledges that the ex parte order will remain in effect until the hearing is held and the court finds that the interests of justice require the continuance of the hearing. Amends TCA Title 36, Chapter 3, Part 6.

House Bill No. 1043 -- Education -- As introduced, clarifies that for purposes of school improvement plans, a school and LEA may choose either the ACT or SAT test scores as one of the assessments for student proficiency. Amends TCA Title 49, Chapter 1.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

House Bill No. 1414 -- Collierville -- Subject to local approval, creates term limits for the board of mayor and alderman; makes certain changes to the qualifications for the mayor and aldermen. Amends Chapter 43 of the Private Acts of 2001.

House Bill No. 1417 -- Benton -- Subject to local approval, changes the name of the municipality from "town" to "city". Amends Chapter 417 of the Private Acts of 1951; as amended.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1438 and 1439** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1438 Local bill -- held on desk.

Senate Bill No. 1439 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 278 through 294**; and **Senate Resolutions Nos. 38 through 52** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 278 by Senator Southerland.
Memorials, Sports -- South Greene High School Lady Rebels, TSSAA Class A State Champions.

Senate Joint Resolution No. 279 by Senator Southerland.
Memorials, Retirement -- Charlie Garant.

Senate Joint Resolution No. 280 by Senator Lundberg.
Memorials, Recognition -- King University, 150th Anniversary.

Senate Joint Resolution No. 281 by Senator Jackson.
Memorials, Recognition -- Dupree Farms, Tennessee Century Farm.

Senate Joint Resolution No. 282 by Senator Bell.
Memorials, Interns -- James R. Copley.

Senate Joint Resolution No. 283 by Senator Beavers.
Memorials, Retirement -- Dennis A. Wolford.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Senate Joint Resolution No. 284 by Senator Southerland.

Memorials, Retirement -- Russell Kinser.

Senate Joint Resolution No. 285 by Senator Southerland.

Memorials, Professional Achievement -- Dr. Doug Woolsey, J.W. Massengill Distinguished Service to Agriculture Award.

Senate Joint Resolution No. 286 by Senator Southerland.

Memorials, Sports -- Morristown Heat travel basketball team.

Senate Joint Resolution No. 287 by Senator Yager.

Memorials, Sports -- Harriman High School boys' basketball team, TSSAA Division I Class A State Champions.

Senate Joint Resolution No. 288 by Senator Yager.

Memorials, Sports -- Mount Pisgah Christian Academy Lady Patriots.

Senate Joint Resolution No. 289 by Senator Niceley and Mr. Speaker McNally.

Memorials, Death -- Dr. Bill Sanders.

Senate Joint Resolution No. 290 by Senator Bailey.

Memorials, Sports -- Upperman High School girls' basketball team TSSAA Division I Class AA State Champions.

Senate Joint Resolution No. 291 by Senator Crowe.

Memorials, Recognition -- Johnson City Community Theatre.

Senate Joint Resolution No. 292 by Senator Ketron.

Memorials, Recognition -- P.D. Mynatt.

Senate Joint Resolution No. 293 by Senator Ketron.

General Assembly, Statement of Intent or Position -- Urges the United States to confront the main source of international terrorism sponsored by Iran and designate Iran's Islamic Revolutionary Guards Corps as a foreign terrorist organization.

Senate Joint Resolution No. 294 by Senator Gresham.

General Assembly, Confirmation of Appointment -- Herbert H. Hilliard, Tennessee Regulatory Authority.

Senate Resolution No. 38 by Senator Briggs.

Memorials, Recognition -- Metastatic Breast Cancer Awareness Month, July 2017.

Senate Resolution No. 39 by Senator Harper.

Memorials, Recognition -- Mount Nebo Missionary Baptist Church, 146th Anniversary.

Senate Resolution No. 40 by Senator Roberts.

Memorials, Recognition -- Molly Hudgens, Citizens Honor Award.

Senate Resolution No. 41 by Senator Massey.

Memorials, Death -- Louise Zirkle.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Senate Resolution No. 42 by Senator Roberts.

Memorials, Academic Achievement -- Ellison Murphree, Valedictorian, McEwen High School.

Senate Resolution No. 43 by Senator Roberts.

Memorials, Academic Achievement -- Juliana White, Valedictorian, McEwen High School.

Senate Resolution No. 44 by Senator Roberts.

Memorials, Academic Achievement -- Corissa Tummins, Valedictorian, McEwen High School.

Senate Resolution No. 45 by Senator Roberts.

Memorials, Academic Achievement -- Eliza Keats Komisar, Valedictorian, Creek Wood High School.

Senate Resolution No. 46 by Senator Roberts.

Memorials, Academic Achievement -- Sarah Jean Greer, Salutatorian, Creek Wood High School.

Senate Resolution No. 47 by Senator Roberts.

Memorials, Academic Achievement -- Alexis Hudgins, Salutatorian, Hickman County High School.

Senate Resolution No. 48 by Senator Roberts.

Memorials, Academic Achievement -- Cooper Mays, Valedictorian, Hickman County High School.

Senate Resolution No. 49 by Senator Roberts.

Memorials, Academic Achievement -- Devanie Coombs, Valedictorian, South Haven Christian School.

Senate Resolution No. 50 by Senator Roberts.

Memorials, Academic Achievement -- Andrew Reagan, Salutatorian, South Haven Christian School.

Senate Resolution No. 51 by Senator Roberts.

Memorials, Academic Achievement -- Kandace Joyce Ailworth, Salutatorian, Pleasant View Christian School.

Senate Resolution No. 52 by Senator Roberts.

Memorials, Academic Achievement -- Bailey Elizabeth Millett, Valedictorian, Pleasant View Christian School.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 220 through 224, 227 through 229**; and **Senate Joint Resolutions Nos. 272 through 277** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 220 -- Memorials, Recognition -- Blount County Rescue Squad, 60th Anniversary.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 220 to the Committee on Calendar.

House Joint Resolution No. 221 -- Memorials, Professional Achievement -- David M. Tomlinson, Wilson County Agricultural Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 221 to the Committee on Calendar.

House Joint Resolution No. 222 -- Memorials, Recognition -- Malinda Gilbert.

The Speaker announced that he had referred House Joint Resolution No. 222 to the Committee on Calendar.

House Joint Resolution No. 223 -- Memorials, Personal Achievement -- Will Meacham, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 223 to the Committee on Calendar.

House Joint Resolution No. 224 -- Memorials, Death -- Rev. Melvin D. Wade.

The Speaker announced that he had referred House Joint Resolution No. 224 to the Committee on Calendar.

House Joint Resolution No. 227 -- Memorials, Professional Achievement -- Mitchell Cochran, Varney Humanitarian Award.

The Speaker announced that he had referred House Joint Resolution No. 227 to the Committee on Calendar.

House Joint Resolution No. 228 -- Memorials, Recognition -- Ray Crouch, Sr., Cheatham County Good Scout Award.

The Speaker announced that he had referred House Joint Resolution No. 228 to the Committee on Calendar.

House Joint Resolution No. 229 -- Memorials, Recognition -- Charles Jones.

The Speaker announced that he had referred House Joint Resolution No. 229 to the Committee on Calendar.

Senate Joint Resolution No. 272 -- Memorials, Sports -- South Greene High School Cheerleaders, TSSAA Sportsmanship Award.

The Speaker announced that he had referred Senate Joint Resolution No. 272 to the Committee on Calendar.

Senate Joint Resolution No. 273 -- Memorials, Recognition -- Davis Creek Primitive Baptist Church, 220th Anniversary.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolution No. 273 to the Committee on Calendar.

Senate Joint Resolution No. 274 -- Memorials, Recognition -- Falcon Engineering and Robotics Team #547, Lincoln County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 274 to the Committee on Calendar.

Senate Joint Resolution No. 275 -- Memorials, Personal Achievement -- Caelan Tanner Townsend, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 275 to the Committee on Calendar.

Senate Joint Resolution No. 276 -- Memorials, Personal Occasion -- Bernice Ritt, 100th Birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 276 to the Committee on Calendar.

Senate Joint Resolution No. 277 -- Memorials, Recognition -- Dr. Charles Moffatt, Good Scout Award.

The Speaker announced that he had referred Senate Joint Resolution No. 277 to the Committee on Calendar.

RECALL OF BILL

On motion of Senator Yager, **Senate Bill No. 382** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Yager moved that Senate Bill No. 382 be referred to the Committee on State and Local Government, which motion prevailed.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 258 -- Memorials, Recognition -- Clinton Police Department.

Senate Joint Resolution No. 259 -- Memorials, Sports -- Randy Coffman, Naismith Girls' High School Coach of the Year.

Senate Joint Resolution No. 260 -- Memorials, Sports -- Coach Kermit Davis.

Senate Joint Resolution No. 261 -- Memorials, Recognition -- Central High School, 100th Anniversary.

Senate Joint Resolution No. 262 -- Memorials, Sports -- Middle Tennessee State University Blue Raiders.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Senate Joint Resolution No. 264 -- Memorials, Retirement -- Dr. Nancy B. Moody.

Senate Joint Resolution No. 265 -- Memorials, Recognition -- Great Smoky Mountains Association.

Senate Joint Resolution No. 266 -- Memorials, Recognition -- Elizabeth Hicks Williams.

Senate Joint Resolution No. 267 -- Memorials, Recognition -- Sergeant Brandon M. Read.

Senate Joint Resolution No. 269 -- Memorials, Death -- Vernon Neal.

Senate Joint Resolution No. 270 -- Memorials, Recognition -- Georgia Willow Jones, 2017 Tennessee Tar Wars Poster Contest.

Senate Joint Resolution No. 271 -- Memorials, Death -- Spencer Hays.

Senate Resolution No. 36 -- Memorials, Recognition -- The Junior League of Chattanooga, 100th Anniversary.

House Joint Resolution No. 213 -- Memorials, Recognition -- Ramp Festival, May 12-13, 2017.

House Joint Resolution No. 218 -- Memorials, Death -- Sande Weiss.

House Joint Resolution No. 219 -- Memorials, Recognition -- Joseph Atnip.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 194 -- Motor Vehicles -- As introduced, prohibits colored, steady-burning lights to the front of a vehicle other than white or amber; prohibits colored, flashing lights to the front of a vehicle; exempts law enforcement, emergency, emergency equipment company, and security vehicles, school buses, mail carriers, and other vehicles authorized to display steady-burning or flashing lights in certain colors. Amends TCA Title 55, Chapter 8 and Title 55, Chapter 9, Part 4.

Senate Bill No. 658 -- Traffic Safety -- As introduced, increases the penalty for the offense of unlawful use of a portable electronic device while driving to a Class B misdemeanor if the violation

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

results in an accident causing serious bodily injury and to a Class A misdemeanor if the accident results in death. Amends TCA Title 55.

Senate Bill No. 1200 -- Environment and Conservation, Dept. of -- As introduced, makes confidential certain information related to guests of state parks. Amends TCA Section 11-1-102.

On motion, Senate Bill No. 1200 was made to conform with **House Bill No. 312**.

On motion, House Bill No. 312, on same subject, was substituted for Senate Bill No. 1200.

Senate Bill No. 1261 -- Boats, Boating -- As introduced, directs TACIR to study the titling of boats. Amends TCA Title 4, Chapter 10.

Senator Massey moved that all Senate and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 1427 -- Collierville -- Subject to local approval, creates term limits for the board of mayor and alderman; makes certain changes to the qualifications for the mayor and aldermen. Amends Chapter 43 of the Private Acts of 2001.

On motion, Senate Bill No. 1427 was made to conform with **House Bill No. 1414**.

On motion, House Bill No. 1414, on same subject, was substituted for Senate Bill No. 1427.

Senate Bill No. 1430 -- Benton -- Subject to local approval, changes the name of the municipality from "town" to "city". Amends Chapter 417 of the Private Acts of 1951; as amended.

On motion, Senate Bill No. 1430 was made to conform with **House Bill No. 1417**.

On motion, House Bill No. 1417, on same subject, was substituted for Senate Bill No. 1430.

Senator Massey moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 448 -- Boards and Commissions -- As introduced, establishes minimum attendance requirement for members of the board of podiatric medical examiners and requires removal of members who do not meet the requirement. Amends TCA Title 63, Chapter 3.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-3-209(2)(B), is amended by deleting the subdivision and substituting instead the following:

A resident continuing such resident's clinical education in a residency accredited by the National Commission on Orthotic and Prosthetic Education; provided, that such person has first registered as a resident with the board; or

SECTION 2. Tennessee Code Annotated, Section 63-3-202(a), is amended by adding the following as a new subdivision:

Establish a registration process for residents as prescribed in § 63-3-209(2)(B).

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 3, Part 2, is amended by adding the following as a new section:

A licensed orthotist or prosthetist may utilize one (1) or more non-licensed persons to assist in:

(1) The performance of minor repairs on devices which have been previously dispensed to patients; and

(2) The performance of other tasks approved by the board of podiatric medical examiners.

SECTION 4. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 448**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 510 -- Alcoholic Beverages -- As introduced, designates Finley Stadium in Chattanooga as a sports authority facility for purposes of on-premises consumption of alcoholic beverages. Amends TCA Title 57, Chapter 4.

Senate Bill No. 510 passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senator Massey moved that **Senate Bill No. 519** be placed on the Calendar for Monday, April 3, 2017, which motion prevailed.

Senate Bill No. 611 -- Funeral Directors and Embalmers -- As introduced, defines funeral directing to include the directing or supervising of other commemorative services, in addition to the existing services provided by law, such as supervising funerals, preparing dead human bodies for burial, disposing of dead human bodies, maintaining a place for the care of dead human bodies, and other services. Amends TCA Title 62, Chapter 5 and Title 68.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-5-313, is amended by adding the following language as a new subsection:

(f) Nothing in this chapter prohibits the use of a licensed funeral establishment to prepare any remains for disposition or to perform, or offer to perform, commemorative services, if the commemorative services are performed in compliance with this chapter and applicable provisions in title 68, and rules promulgated pursuant to this chapter and title 68. For the purposes of this subsection (f), "commemorative services" means any ceremony for the dead prior to burial, cremation, or any other legal form of final disposition.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 611**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 614 -- Education -- As introduced, encourages teacher training programs to partner with stakeholders in neurological or brain science research to provide educators with knowledge of cognitive development and how emerging research in the brain sciences can inform educational practices and policies. Amends TCA Title 49, Chapter 5, Part 56.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-5601, is amended by deleting the section and substituting instead the following:

The general assembly recognizes the vital position occupied by institutions of higher education in the training of teachers, the improvement in the quality of the education profession, and the impact on Tennessee students. In acting to support these functions in public institutions of higher education, the general assembly must maintain a proper balance between the academic freedom of higher education and the need to respond to the public's expectations of quality in the state's teacher training programs. Therefore, the general assembly does not seek to impose restrictions on the philosophy or course selection of teacher training programs. The general assembly does, however, reserve the authority to require of each teacher training institution reasonable admission standards, graduation standards, and outcomes for prospective teachers to ensure that teachers are effectively prepared to positively affect student achievement in accordance with this part.

SECTION 2. Tennessee Code Annotated, Section 49-5-5631, is amended by deleting the section and substituting instead the following:

(a) All full-time educator preparation program faculty members, including academic deans or executive leaders of such educator preparation programs, who are involved in the preparation of teachers, shall further their professional

development through direct personal involvement in the public school or local education agency setting of pre-kindergarten through grade twelve (pre-K-12) on an annual basis.

(b) The faculty involvement must include:

(1) Professional learning targeted to or led by pre-K through grade twelve (pre-K-12) educators;

(2) Professional learning focused on local education agency specific educational initiatives;

(3) Direct instruction to pre-K through grade twelve students (pre-K-12);

(4) Curriculum development;

(5) District level strategic partnerships; or

(6) Direct observation of pre-K through grade twelve (pre-K-12) classrooms.

(c) In accordance with state board of education policy, all preparation providers shall establish state-recognized partnerships with each local education agency where enrolled candidates will complete any aspect of clinical practice.

(d) The state-recognized partnership agreements must detail how the college of education faculty detailed in subsection (a) shall engage with at least one (1) local education agency and describe faculty involvement activities listed in subsection (b).

(e) After implementation, the state board of education shall meet at least annually for structured meetings to coordinate policy on educator preparation, including, but not limited to, collaboration between colleges of education, colleges of education faculty, and local education agencies. The Tennessee higher education commission, the state's educator preparation programs, and the Tennessee Independent Colleges and Universities Association shall be invited to participate.

(f) The state board of education may review educator preparation programs for noncompliance with this section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 614**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Yager moved that **Senate Bill No. 695** be placed on the Calendar for Monday, April 3, 2017, which motion prevailed.

Senate Bill No. 1190 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, requires captive insurance companies to pay certain penalties and interest on the late payment of premium taxes; authorizes certain captive insurance companies to apply for and operate under a letter of dormancy; provides for the conversion of protected cells and pure captive insurance companies; revises certain compensation provisions regarding examinations of insurance companies. Amends TCA Title 56.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-13-114, is amended by adding the following language as new, appropriately designated subsections:

(j)(1) Any captive insurance company failing to pay premium tax payments as provided by this chapter shall forfeit and pay to the state, in addition to the amount of the unpaid taxes, a penalty of five hundred dollars (\$500) for the first month or fractional part of the first month of delinquency; provided, that should the period of delinquency exceed one (1) month, the company shall pay an additional five hundred dollars (\$500) for the second month or fractional part of the second month. Any premium tax payment that is not paid within sixty (60) days of the due date is a violation of this chapter and is subject to § 56-13-120. The commissioner has the discretion, upon written application and for good cause shown, to waive the penalties of this subdivision (j)(1).

(2) All delinquencies shall bear interest at the rate of ten percent (10%) per annum from the date the amount was due until paid. The interest shall apply to any part of the tax unpaid by the due date and no interest may be waived.

(k) The commissioner shall promulgate rules governing the manner in which the premium tax shall be paid. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. The rules may provide for the making of premium tax payments through electronic means. The rules may also provide for a convenience fee to cover the costs of accepting electronic premium tax payments. In no event shall the convenience fee exceed the actual costs incurred by the department in accepting electronic premium tax payments in addition to any applicable penalty and interest fees.

SECTION 2. Tennessee Code Annotated, Section 56-13-118, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Title 56, Chapter 13, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section, "dormant captive insurance company" means any captive insurance company other than a captive risk retention group that has:

(1) Ceased transacting the business of insurance, including the issuance of insurance policies; and

(2) No remaining liabilities associated with insurance business transactions or insurance policies issued prior to the filing of its application for a letter of dormancy under this section.

(b) A captive insurance company domiciled in this state that meets the criteria of subsection (a) may apply to the commissioner for issuance of a letter of dormancy. The commissioner may issue the captive insurance company a letter of dormancy in the commissioner's sole discretion. A letter of dormancy issued by the commissioner shall specify an expiration date that is no later than five (5) years from the date of issuance. The commissioner may, before the expiration date, issue a superseding letter of dormancy. The superseding letter of dormancy shall specify a new expiration date no later than five (5) years from the date of issuance of the superseding letter.

(c) A dormant captive insurance company that has been issued a letter of dormancy shall:

(1) Possess, and thereafter maintain unimpaired, paid-in capital and surplus of not less than twenty five thousand dollars (\$25,000);

(2) Prior to March 15 of each year, submit to the commissioner a report of its financial condition as required by § 56-13-108; and

(3) Pay the fee established by § 56-4-101(a)(4).

(d) A dormant captive insurance company that has been issued a letter of dormancy shall not be subject to or liable for the payment of the annual minimum aggregate tax provided for in § 56-13-114(c). A dormant captive insurance company shall be liable for payment of premium tax on premiums received before issuance of a letter of dormancy.

(e) A dormant captive insurance company that has been issued a letter of dormancy must apply to the commissioner for and receive a rescission of the letter of dormancy and restore its unimpaired paid-in capital and surplus to the amount required in § 56-13-105 prior to issuing any insurance policies and resuming the business of insurance.

(f) The commissioner shall rescind a letter of dormancy issued to any captive insurance company if that company no longer meets the criteria of subsection (a). Such rescission shall be effective as of the date the company ceased to meet the criteria of subsection (a).

(g) In the commissioner's sole discretion, an examination required by § 56-13-109 may be held in abeyance during the time the dormant captive insurance company is under a letter of dormancy.

(h) An application for a letter of dormancy and an application for a rescission of a letter of dormancy constitute a change of business plan pursuant to § 56-4-101(a)(8).

(i) The captive insurance company is responsible for all taxes, fees, and statutory requirements of this title for the year in which the rescission or expiration of its letter of dormancy occurs.

(j) The commissioner may promulgate rules as necessary to effectuate the purposes of this section. All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. Tennessee Code Annotated, Section 56-13-114(c), is amended by adding the following language as a new subdivision (3):

(3) A dormant captive insurance company that has been issued a letter of dormancy under Section 3 of this act is not subject to or liable for the payment of the annual minimum aggregate tax established under this subsection (c).

SECTION 5. Tennessee Code Annotated, Title 56, Chapter 13, Part 2, is amended by adding the following language as a new, appropriately designated section:

(a)(1) Upon the application of a protected cell captive insurance company, one of its protected cells may be converted to any form of captive insurance company authorized pursuant to this chapter with the consent of the commissioner. Upon compliance with part 1 of this chapter, the commissioner may issue to the converting protected cell a certificate of authority with an effective date of its original date of formation as a protected cell.

(2) If the converting protected cell is a series of a limited liability company, the cell shall file organizational documents with the secretary of state that comply with part 1 of this chapter and titles 48 and 61 as applicable. The organizational documents shall include the date of formation as a series. Upon conversion, the formation date of the series shall be deemed the formation date of the new entity. The new entity shall possess all assets and liabilities, including outstanding insurance liabilities, owned by the predecessor series.

(3) If the converting protected cell is any other type of incorporated protected cell entity, then the converting protected cell shall submit amended organizational documents to the secretary of state that comply with part 1 of this chapter and titles 48 and 61 as applicable.

(4) If the converting protected cell is neither a series of a limited liability company nor an incorporated protected cell, the cell shall file organizational documents with the secretary of state that comply with part 1 of this chapter,

titles 48 and 61 as applicable, or any other applicable provision governing formation of that type of entity. The organizational documents shall include the date of formation as a cell. Upon conversion, the formation date of the cell shall be deemed the formation date of the new entity. The new entity shall possess all assets and liabilities, including outstanding insurance liabilities, owned by the predecessor cell.

(b) A captive insurance company may apply to the commissioner for conversion to become a protected cell captive insurance company under any form permitted under this part. Upon compliance with this part, approval by the commissioner, and the filing of amended organizational documents with the secretary of state, the captive insurance company shall be issued a revised certificate of authority. The effective date of the revised protected cell captive insurance company's certificate of authority shall remain the same as the effective date of the prior captive insurance company.

(c) With the consent of both the affected protected cell captive insurance companies and the commissioner, an individual protected cell of a captive insurance company may disaffiliate from one protected cell captive insurance company and affiliate with another protected cell captive insurance company. The commissioner may require the affected protected cell captive insurance companies and the individual protected cell to make necessary changes to their business plans, organizational documents, participation agreements, or other governing documents prior to approving the change in affiliation. The formation date of a protected cell that affiliates with another protected cell captive insurance company shall be the date of its original formation with the prior protected cell captive insurance company. A protected cell shall maintain and carry over all assets and liabilities, including outstanding insurance liabilities, to the new protected cell captive insurance company.

(d) Solely for the purposes of §§ 56-13-108, 56-13-109, and 56-13-114, the date of final conversion or disaffiliation of a protected cell shall be deemed a termination of that cell from the prior entity. The prior entity shall be responsible for the accounting, oversight, and premium tax on any transactions prior to the date of final conversion or disaffiliation. The successor entity shall be responsible for the accounting, oversight, and premium tax on any transactions on or after the date of final conversion or disaffiliation.

SECTION 6. Tennessee Code Annotated, Section 56-1-413, is amended by deleting subsection (b) in its entirety and substituting instead the following language:

(b) All persons engaging, assisting, or making the required examination under this chapter shall be regular state employees, and their entire expenses and compensation shall be paid only by the state as now provided for by law. Notwithstanding this subsection (b), the commissioner may contract, in accordance with applicable state contracting procedures, for qualified actuaries and financial examiners the commissioner deems necessary due to the unavailability of qualified regular state employees to conduct a particular examination; provided, that, with respect to financial examinations, the compensation and per diem allowances paid to the persons shall be fixed by the commissioner at a reasonable amount commensurate with usual compensation for like services.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1190**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Norris moved that **Senate Bill No. 1238** be placed on the Calendar for Thursday, April 6, 2017, which motion prevailed.

Senate Bill No. 274 -- Criminal Offenses -- As introduced, clarifies that housing and apartment complex common areas are not considered areas open to the general public for purposes of criminal trespass. Amends TCA Section 39-11-106 and Section 39-14-405.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-405, is amended by adding the following new subsection:

() For purposes of this section, there shall be no inference of the owner's consent nor shall the defense in subsection (b) be available to a person entering and remaining on the grounds, or in the common areas, such as lobbies, hallways, courtyards, and parking lots, of a housing or apartment complex having signs posted in compliance with subsection (c) unless the person:

(1) Has the actual consent of the owner;

(2) May lawfully enter the property by virtue of the person's occupational duties; or

(3) Has a contractual right to enter the property or is an invitee of someone with a contractual right to make invitations to enter the property.

SECTION 2. This act shall take effect on July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Harris moved that **Senate Bill No. 274**, as amended, be moved three places down on the Calendar for today, which motion prevailed.

Senate Bill No. 338 -- Secretary of State -- As introduced, requires the secretary of state, when a property owner makes a request, to opine on whether property has been annexed by a municipality. Amends TCA Title 8, Chapter 3, Part 1.

Senator Overbey declared Rule 13 on **Senate Bill No. 338**.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 3, Part 1, is amended by adding the following as a new section:

(a) If a dispute arises between a property owner and a municipality as to whether a property has been annexed by the municipality, the property owner or the municipality may file a complaint against the opposing party with the secretary of state to determine whether the person's property has been annexed by a municipality. The burden of proof shall be on the municipality to prove annexation of the subject property by a preponderance of the evidence.

(b) Within ten (10) days of the filing of the complaint, the secretary of state shall appoint an administrative judge from the administrative procedures division of the secretary of state's office who shall set an administrative hearing to be held under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3, within ninety (90) days of the date of filing the complaint, unless for good cause shown that a later time is deemed necessary. Notwithstanding other provisions of the law to the contrary, the secretary of state or the secretary of state's designee has the authority to render a final order following entry of an initial order by the administrative judge. Such order shall be appealable as provided by § 4-5-322.

(c) Once a complaint has been filed under subsection (a), the municipality shall file with the administrative procedures division within twenty (20) days of the filing of the complaint, all annexation ordinances of the municipality and all results of referendums on annexation held within the municipality.

(d) If the final order includes a finding that the subject property has not been annexed, any property taxes paid by the property owner to the municipality shall be reimbursed to the property owner, with interest.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

Thereupon, **Senate Bill No. 338**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Haile moved that **Senate Bill No. 362** be withdrawn from the Senate, which motion prevailed.

Senator Niceley moved that **Senate Bill No. 968** be placed on the Calendar for Thursday, April 6, 2017, which motion prevailed.

FURTHER ACTION ON SENATE BILL NO. 274, AS AMENDED

Thereupon, **Senate Bill No. 274**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senate Bill No. 1371 -- Air Pollution -- As introduced, decreases the number of copies from three to two of any air quality regulations adopted by a local government through reference in the local government's ordinance or resolution that must be filed in the office of the county clerk for inspection by the public. Amends TCA Title 68, Chapter 201, as amended.

Thereupon, **Senate Bill No. 1371**, as amended, passed its third and final consideration by the following vote:

Ayes 23
Noes 6

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--23.

Senators voting no were: Dickerson, Harper, Harris, Kyle, Roberts and Yarbrow--6.

A motion to reconsider was tabled.

Senate Bill No. 119 -- Criminal Offenses -- As introduced, expands the offense of theft to include evading a component of an anti-shoplifting device, interfering with a fire alarm system, or using any artifice or article to commit or facilitate a theft, and makes other various changes; punishes a fifth or subsequent conviction in a two-year period one classification higher and imposes a fine of not less than \$300. Amends TCA Section 39-14-146.

On motion, Senate Bill No. 119 was made to conform with **House Bill No. 56**.

On motion, House Bill No. 56, on same subject, was substituted for Senate Bill No. 119.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the amendatory language of Section 2 and substituting instead the following:

(c) Notwithstanding any other law, a fifth or subsequent conviction in a two-year period shall be punished one (1) classification higher than provided by § 39-14-105, and subject to a fine of not less than three hundred dollars (\$300) nor more than the maximum fine established for the appropriate offense classification.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 56**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Mr. Speaker McNally moved that **Senate Bill No. 145** be placed on the Calendar for Monday, April 3, 2017, which motion prevailed.

Senator Overbey moved that **Senate Bill No. 327** be placed on the Calendar for Thursday, April 6, 2017, which motion prevailed.

MOTION

Senator Johnson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 473**; and **Senate Joint Resolution No. 294** on the calendar for the Committee on Commerce and Labor for Monday, April 3, 2017, which motion prevailed.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

MOTION

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 382 and 1257** on the calendar for the Committee on State and Local Government for Tuesday, April 4, 2017, which motion prevailed.

MOTION

Senator Yager moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 287**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 287 -- Memorials, Sports -- Harriman High School boys' basketball team, TSSAA Division I Class A State Champions.

On motion of Senator Yager, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 287** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Norris moved the Proposed Schedule for the week of April 3, 2017, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
110th GENERAL ASSEMBLY**

**SCHEDULE
WEEK OF APRIL 3, 2017**

MONDAY, APRIL 3, 2017

12:30 p.m.

Commerce & Labor Committee

3:00 p.m.

SESSION – SENATE CHAMBER

TUESDAY, APRIL 4, 2017

8:30 a.m.

Finance, Ways & Means Committee

9:30 a.m.

State & Local Government Committee

11:30 a.m.

Education Committee

12:30 p.m.

Lunch

1:00 p.m.

Judiciary Committee

2:30 p.m.

Commerce & Labor Committee – **FINAL MEETING**

WEDNESDAY, APRIL 5, 2017

8:30 a.m.

Health & Welfare Committee – **FINAL MEETING**

10:30 a.m.

Judiciary Committee

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

12:00 noon
12:30 p.m.
2:00 p.m.

Lunch
State & Local Government Committee
Education Committee – **FINAL MEETING**

THURSDAY, APRIL 6, 2017

8:30 a.m.

SESSION – SENATE CHAMBER

OTHER MEETINGS

Tuesday, April 4, 2017

* Pre-Commerce & Labor Committee, at 7:30 a.m., in Room 12 LP

Wednesday, April 5, 2017

* Corrections Subcommittee of Senate State & Local Government, at 8:00 a.m., in Room 12 LP

RECALL OF BILL

On motion of Senator Green, **Senate Bill No. 478** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Green, Senate Bill No. 478 was withdrawn from the Senate.

MOTION

On motion of Senators Jackson and Massey, their names were added as sponsors of **Senate Bill No. 119**.

On motion of Senator Niceley, his name was added as prime sponsor of **Senate Bill No. 172**.

On motion of Senator Overbey, his name was removed as sponsor of **Senate Bill No. 172**.

On motion of Senator Haile, his name was added as sponsor of **Senate Bill No. 194; and Senate Joint Resolutions Nos. 271 and 282**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 723; and Senate Joint Resolutions Nos. 259 and 260**.

On motion of Senator Jackson, his name was added as sponsor of **Senate Bills Nos. 268 and 1077**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bills Nos. 298, 922 and 983**.

On motion of Senator Bowling, her name was removed as sponsor of **Senate Bill No. 362**.

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

On motion of Senator Stevens, his name was added as sponsor of **Senate Bill No. 365; Senate Joint Resolution No. 108; and House Joint Resolution No. 219.**

On motion of Senator Crowe, his name was added as prime sponsor of **Senate Bills Nos. 475 and 480.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bills Nos. 505, 558 and 790.**

On motion of Senator Harris, his name was added as sponsor of **Senate Bills Nos. 581, 1245 and 1343.**

On motion of Senators Norris and Overbey, their names were added as sponsors of **Senate Bill No. 614.**

On motion of Senator Harper, her name was added as prime sponsor of **Senate Bill No. 705.**

On motion of Senator Yager, his name was removed as sponsor of **Senate Bill No. 705.**

On motion of Senators Kelsey and Stevens, their names were added as sponsors of **Senate Bill No. 816.**

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 1059.**

On motion of Senator Watson, his name was added as prime sponsor of **Senate Bill No. 1075.**

On motion of Senator Lundberg, his name was removed as sponsor of **Senate Bill No. 1075.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 1167.**

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 1215.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Bill No. 1241; and Senate Joint Resolution No. 265.**

On motion of Senators Bell and Stevens, their names were added as sponsors of **Senate Bill No. 1260.**

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 1427.**

On motion of Senators Yager, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 269.**

On motion of Senators Watson, Bowling, Gresham, Harper, Kyle, Massey, Bailey, Bell, Briggs, Crowe, Dickerson, Green, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Resolution No. 36.**

On motion of Senators Southerland and Overbey, their names were added as sponsors of **House Joint Resolutions Nos. 213 and 218.**

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolution No. 228**.

ENGROSSED BILLS

March 30, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 194, 274, 338, 448, 510, 611, 614, 658, 1190, 1261 and 1371; and Senate Joint Resolutions Nos. 258, 259, 260, 261, 262, 264, 265, 266, 267, 269, 270 and 271; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

March 30, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolution No. 287, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 6, 393, 425 and 1143; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 113, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 230, 231, 232 and 233; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 88, 97, 112, 138, 348, 385 and 902; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1202, substituted for House Bill on same subject and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256 and 257; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 269, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

March 30, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; and Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

March 30, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolution No. 36, and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON,
Deputy Chief Clerk

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 81, 173, 520, 1112 and 1415; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 30, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 213, 218 and 219; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

March 31, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; and Senate Resolution No. 36.

SIGNED

March 31, 2017

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 213, 218 and 219.

MESSAGE FROM THE HOUSE

March 29, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 32, 139, 213, 232, 237, 262, 275, 377, 543, 694, 709, 842 and 1201; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 31, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

REPORT OF DEPUTY CHIEF CLERK

March 30, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 32, 139, 213, 232, 237, 262, 275, 377, 543, 694, 709, 842 and 1201; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

March 29, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 607, 737, 782, 809, 994, 995, 1229, 1232, 1233, 1263 and 1304; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

March 29, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248 and 268; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

MESSAGE FROM THE GOVERNOR

March 31, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 12, 54, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 70, 71, 72, 74, 75, 78, 79, 80, 81, 82, 85, 86, 87, 89, 90, 91, 93, 94, 95, 96, 98, 99, 100, 101, 104, 107, 108, 109, 110, 111, 141, 220, 417 and 461; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 3, 2017: Senate Joint Resolutions Nos. 272, 273, 274, 275, 276 and 277; and House Joint Resolutions Nos. 220, 221, 222, 223, 224, 227, 228 and 229.

This the 30th day of March, 2017
MASSEY, Chairperson

THURSDAY, MARCH 30, 2017 -- 21ST LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 3, 2017: Senate Bills Nos. 2, 102, 257, 286, 692, 816, 957, 1196, 1198, 1206, 1207, 1208, 1246, 1252 and 1360; Senate Joint Resolutions Nos. 182 and 263; and Senate Resolution No. 33.

This the 30th day of March, 2017
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 3, 2017: Senate Bills Nos. 329, 365, 435, 921, 1077, 1339, 1369, 925, 236, 305, 389, 449, 469, 527, 609, 818, 999, 1215, 1216, 1243, 145, 38, 154, 519 and 695.

This the 30th day of March, 2017
MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 3:00 p.m., Monday, April 3, 2017, which motion prevailed.